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Attorneys for Plaintiff LIVINGSTON
 HEARING AID CENTER, INC., a
 Texas corporation



UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

(SAN JOSE DIVISION)

LIVINGSTON HEARING AID CENTER,
 INC.,

Plaintiff,

v.

INSOUND MEDICAL, INC.,

Defendant.

§ Case No. 11-CV-01965-EJD

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**STIPULATION TO EXTEND TIME FOR
 LIVINGSTON HEARING AID CENTER,
 INC. TO RESPOND TO COUNTERCLAIM
 OF INSOUND MEDICAL, INC.**

[N.D. Cal. Local Rule 6-1(a)]

WHEREAS, on March 8, 2011, LIVINGSTON HEARING AID CENTER, INC. ["LHAC"] filed
 its Complaint in the instant action in the 72nd Judicial District Court of Lubbock County, Texas against
 INSOUND MEDICAL, INC. ["InSound"];

WHEREAS, on April 1, 2011, InSound removed the instant action to the United States District
 Court for the Northern District of Texas;

WHEREAS, on April 20, 2011, the United States District Court for the Northern District of Texas
 granted the Parties' Agreed Motion to Transfer Venue to this Court;

WHEREAS, the instant action was transferred to this Court on April 22, 2011;

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1 WHEREAS, this action was reassigned to the Honorable Edward J. Davila on July 11, 2011, and
2 the deadline previously set in this action for the case management conference has been rescheduled for
3 October 28, 2011;

4 WHEREAS, on July 21, 2011, InSound filed its Original Answer to LHAC's Complaint, and also
5 filed its Counterclaim against LHAC;

6 WHEREAS, LHAC's answer to InSound's Counterclaim is due to be filed on August 16, 2011;

7 THEREFORE, the Parties, through their counsel of record, stipulate and agree as follows:

8 1. Livingston Hearing Aid Center, Inc. shall have through and including **September 2, 2011**, to
9 respond to the counterclaim of InSound Medical, Inc.

10 2. The instant Stipulation shall be without prejudict to either party's right to seek a further
11 continuance of any deadline.

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14 DATED: August 9, 2011

Respectfully submitted,

LAW OFFICE OF MICHAEL H. CARPER, P.C.

By: /s/ Robert N. Nebb
Robert N. Nebb

Attorneys for **Livingston Hearing Aid Center, Inc.**

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18 DATED: August 9, 2011

RUTAN & TUCKER, LLP

By: /s/ Gerard M. Mooney
Gerard M. Mooney

Attorneys for **InSound Medical, Inc.**